

T-20567A-07-0662



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ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

RECEIVED

ORIGINAL

Investigator: Carmen Madrid

Phone: [REDACTED] PR 24 Fax: [REDACTED] 9

Priority: Respond Within Five Days

AZ CORP COMMISSION
DOCKET CONTROL

Opinion No. 2009 78526

Date: 4/24/2009

Complaint Description: 08E Rate Cases Items - In Favor
N/A Not Applicable

Arizona Corporation Commission

DOCKETED

APR 24 2009

Complaint By: First: Last:
Dan Ward

Account Name: Dan Ward

Home: (000) 000-0000

Street: [REDACTED]

Work: (000) 000-0000

City: Scottsdale

CBR: [REDACTED]

State: AZ Zip: 85262

is: E-Mail

Utility Company. Newpath Networks, LLC

Division: Telephone

Contact Name: n/a

Contact Phone: (000) 000-0000

Nature of Complaint:

From: Dan Ward [mailto:[REDACTED]]

Sent: Tuesday, April 21, 2009 1:00 PM

To: kmayes@azcc.gov; skennedy@azcc.gov; bstump@azcc.gov; pnnewman@azcc.gov; gpierce@azcc.gov Cc: Jlane@scottsdaleaz.gov; rmccullagh@scottsdaleaz.gov; tnelssen@scottsdaleaz.gov; lborowsky@scottsdaleaz.gov; wecton@scottsdaleaz.gov; sklapp@scottsdaleaz.gov; rlittlefield@scottsdaleaz.gov

Subject: Cell Service in North Scottsdale -

Legend Trail Commissioners and Council Members;

I have been fortunate enough to call Scottsdale my home; I am raising a family here and conduct business in North Scottsdale. I love the many luxuries the city has to offer, from restaurants to shopping. I am often disappointed, however, at my inability to receive proper cell phone coverage. I often find myself searching for a signal or unable to receive email or data on my phone. Unfortunately, switching carriers is an ineffective and futile exercise; I have been forced to carry two cell phones in order to receive coverage in various locations and I know several of my colleagues do the same.

I received notification that NewPath Networks is proposing DAS relay implementation throughout my neighborhood which would improve cell phone coverage. I, along with my neighbors and colleagues, are excited at the submission of NewPath's CC&N with the Arizona Corporation Commission. It is my understanding that the company has endured a long, tedious process only to be further delayed. It is my absolute hope that the ACC will approve NewPath's request for their CC&N.

Additionally, I was surprised when the Scottsdale City Council voted to intervene against NewPath. NewPath, from my understanding, has been a responsible corporate ally and is continuing to work with its communities in an effort to maintain open lines of communication to achieve a level of neighborhood clarity and understanding. It is my opinion that those in the neighborhood communities that are opposed to NewPath's CC&N feel like the

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company has already stipulated the site locations regarding the nodes based on the information provided to the ACC in the pre-application. After speaking with NewPath, however, it is clear that the pre- application is used simply as a place holder and the location of the nodes is completely negotiable.

I think it would be beneficial for Scottsdale if the ACC decides to grant NewPath their CC&N. NewPath is openly accepting neighborhood feedback regarding the aesthetics of the nodes and the location in each neighborhood. Furthermore, NewPath is in the process of holding informational open houses and presentations in the communities where they have proposed node implementation.

I think NewPath ' s technology will be a wonderful addition to our community and I fully support their proposed improvements; I hope the ACC and Scottsdale City Council will do the same.

Sincerely,
Dan Ward

Fine Homes Specialist
The Ray Group
Prudential Arizona Properties

[REDACTED] 1
Scottsdale, AZ 85262

[REDACTED]
[REDACTED] 3
[REDACTED]

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

4/24/09 Opinion noted and docketed in T-20567A-07-0662. closed

End of Comments

Date Completed: 4/24/2009

Opinion No. 2009 - 78526

T-20567A-07-0622

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone: [REDACTED]

Fax: [REDACTED]

Priority: Respond Within Five Days

Opinion **No.** 2009 78528

Date: 4/24/2009

Complaint Description: 08E Rate Cases Items - In Favor
N/A Not Applicable

First:

Last:

Complaint By:

Megan

Helstab

Account Name:

Megan Helstab

Home: (000) 000-0000

Street:

[REDACTED]

Work: (000) 000-0000

City:

Scottsdale

CBR:

[REDACTED]

State:

AZ

Zip: 85260

is: E-Mail

Utility Company:

Newpath Networks, LLC

Division:

Telephone

Contact Name:

n/a

Contact Phone: (000) 000-0000

Nature of Complaint:

-----Original Message-----

From:

[REDACTED]

To: kmayes@azcc.gov; pnnewman@azcc.gov; gpierce@azcc.gov; skennedy@azcc.gov; bstump@azcc.gov

Cc: Jlane@scottsdaleaz.gov; rmccullagh@scottsdaleaz.gov; sklapp@scottsdaleaz.gov;

rlittlefield@scottsdaleaz.gov; tnelssen@scottsdaleaz.gov; lborowsky@scottsdaleaz.gov;

wecton@scottsdaleaz.gov

Sent: Tue, 21 Apr 2009 12:33 pm

Subject: NewPath Networks

Chair Kristin Mayes
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007

Dear Chair Mayes,

I want to take a moment of your time to lend my support to NewPath Technologies. Having lived in an area where cell service is limited and receiving an email on your phone is practically impossible, I feel that this technology is drastically needed in Scottsdale.

I am a little frustrated that the City of Scottsdale decided to intervene on the process. I understand that the city needs to look out for the best interest of its residents, but in this case allowing NewPath to locate in our city is in the best interest of everyone. Scottsdale needs to choose its battles wisely, and unfortunately, I feel that this is a fruitless effort on the City's part.

NewPath is a strong new business opportunity for this area. Scottsdale, especially during such a difficult budget crunch, needs to be welcoming of new business ventures. I agree that our community needs to be careful and

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examine all potential business ventures, but there is a fine line between examination and hinderance.

Please help forward the NewPath agenda. We want, and need, t his technology now.

Thanks for your time,

Megan Helstab

[REDACTED]
Scottsdale, AZ 85200

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

4/24/09 Opinion noted and docketed in T-20567A-07-0662. closed

End of Comments

Date Completed: 4/24/2009

Opinion No. 2009 - 78528

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ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone: [REDACTED]

Fax: [REDACTED]

Priority: Respond Within Five Days

Opinion **No.** 2009 78527

Date: 4/24/2009

Complaint Description: 08E Rate Cases Items - In Favor
 N/A Not Applicable

First:

Last:

Complaint By:

Rita M.

Coccia-Chalmers

Account Name:

Rita M. Coccia-Chalmers

Home: (000) 000-0000

Street:

[REDACTED]

Work: (000) 000-0000

City:

Scottsdale

CBR:

State:

AZ

Zip: 85262

is:

Utility Company:

Newpath Networks, LLC

Division:

Telephone

Contact Name:

n/a

Contact Phone: (000) 000-0000

Nature of Complaint:

Rita M Coccia/CIV/CSC

To 04/22/2009 07:43 pneman@azcc.gov, gpierce@azcc.gov, PM kmayes@azcc.gov, skennedy@azcc.gov, bstump@azcc.gov, CC: Jlane@scottsdaleaz.gov, lborowsky@scottsdaleaz.gov, wecton@scottsdaleaz.gov, sklapp@scottsdaleaz.gov, rlittlefield@scottsdaleaz.gov, rmccullagh@scottsdaleaz.gov, tnelssen@scottsdaleaz.gov cc Subject Scottsdale, AZ - Legend Trail Cell Service

To: Arizona Corporations Commission Commissioners,

I am contacting you today on behalf of the city of Scottsdale and an opportunity many of its citizens support. Recently, a company by the name of NewPath Networks came to my community in hopes of extending their business perimeter, a move that would result in increased cell phone service for many of the residents in the city of Scottsdale. Unfortunately, despite the support of the many residents willing to work with the company, a small handful of community actors have made efforts to stop this from happening. Word has spread that some have even reached out to your commission in hopes that you will shut NewPath down from pursuing this project. However, this handful of a few community players does not represent the picture of the whole. There are many people who understand the benefits of this project, who have worked with the company to see that concerns are mitigated and who see the completion of this project as a necessary improvement to the quality of life for those in the city of Scottsdale.

From the start, NewPath Networks has been very open to working with the community to build understanding surrounding the proposed project. In response to initial concerns by a great majority of Scottsdale residents, the company came out publically to work with and inform the community regarding the realities inherent in what it's pursuing. If you ask me, the city couldn't have gotten a better deal! The cell phone towers are nearly invisible (fake cacti, light pole appendages, etc) unlike the towers located in other parts of the Valley. In addition, residents of the greater Northeast will have congruent cell phone service in and around their neighborhoods. This will serve as a great benefit to the people living in the city of Scottsdale, which is a wide-known fact now by the greater majority of residents now supporting NewPath Networks.

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One further benefit which many have failed to note or consider is the impact it will have on the injuring housing market for that area. As a real estate agent, I understand fully the impact great or poor cell phone service has on a future homeowner's interest in a particular property. Many times, it is the first item a prospective homeowner will check off their list, especially in areas slightly removed from city centers - "Does my phone work here?" If the answer is "no", the house's livability decreases tremendously. Allowing NewPath to complete their project in the city of Scottsdale would serve as a great benefit to those living in affected neighborhoods. Not to say that this project will result in increased home values; however, one can be assured that this will not contribute to a reduction in price as the market is more in the buyers' hands than ever before.

NewPath has come to the city with a bright project proposal and the residents should be pushing the company to pursue it with full force. I, like the many others, want to voice that support.

Sincerely,

Rita M. Coccia-Chalmers

[REDACTED]
Scottsdale, AZ 85262

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

4/24/09 Opinion noted and docketed in T-20567A-07-0662. closed

End of Comments

Date Completed: 4/24/2009

Opinion No. 2009 - 78527

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Investigator: Carmen Madrid

Phone: [REDACTED]

Fax: [REDACTED]

Priority: Respond Within Five Days

Opinion **No.** 2009 78525

Date: 4/24/2009

Complaint Description: 08E Rate Cases Items - In Favor
N/A Not Applicable

First:

Last:

Complaint By:

Richard

Gaderick

Account Name:

Richard Gaderick

Home: (000) 000-0000

Street:

[REDACTED]

Work: (000) 000-0000

City:

Scottsdale

CBR:

State:

AZ

Zip: 85255

is:

Utility Company:

Newpath Networks, LLC

Division:

Telephone

Contact Name:

n/a

Contact Phone: (000) 000-0000

Nature of Complaint:

From: Richard Gaderick

Sent: Friday, April 17, 2009 12:04 PM

To: 'pnewman@azcc.gov'; 'gpierce@azcc.gov'; 'kmayes@azcc.gov'; 'skennedy@azcc.gov'; 'bstump@azcc.gov'

Cc: 'Jlane@scottsdaleaz.gov'; 'lborowsky@scottsdaleaz.gov'; 'wecton@scottsdaleaz.gov';

'sklapp@scottsdaleaz.gov'; 'rlittlefield@scottsdaleaz.gov'; 'rmccullagh@scottsdaleaz.gov';

'tnelssen@scottsdaleaz.gov'

Subject: Improvement of Cellular Phone Service in North Scottsdale Importance: High

Dear Commissioner Mayes and Corporation Commissioners-

I am concerned with the manner in which NewPath Network's ACC application has been handled. I believe that NewPath will increase the marketability of the Scottsdale home market and improve the already high desirability of home buying in our area.

I have heard a few individuals who are opposed to the project speak about the health risks and the hindrance NewPath will have on home values. I believe, from the presentations I have seen, that NewPath's technology is able to blend wonderfully into the surrounding community and environment. In fact, after reviewing their literature and speaking with their representatives, I was unable to distinguish their cell phone relays from native cacti and stop signs. They simply work with the area representatives and integrate into the surrounding environment.

Cell phone coverage is so important in my line of work; it is necessary to communicate with the office and my stores while I am out in the North Scottsdale area and in and around my home. It is very annoying, however, when I am constantly dropping calls and losing service and lack the ability to access my data network on a consistent basis.

Additionally, I know clients and all my neighbors place an enormous amount of emphasis on cell phone accessibility.

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I know NewPath has worked closely with the communities where it has placed antennas in order to establish a working relationship with their home owners association. NewPath has been open and honest throughout their application process. I believe that most of the problems would have been avoided if the opposition had taken the time to understand the difference between a pre-application with the ACC and a set in stone ordinance that will mandate the location of the cell phone relays. Simply because NewPath has filed a pre-application does not mean there isn't any wiggle room as to placement, composition, or visual appeal of the technology.

Scottsdale would benefit greatly from the technological improvements as proposed by NewPath Networks. The ACC should recognize the importance of these enhancements and grant NewPath their CC&N and allow them to move forward with their relay implementations.

Regards,
Richard Gaderick

[REDACTED]
Scottsdale, AZ 85255

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

4/24/09 Opinion noted and docketed in T-20567A-07-0662. closed

End of Comments

Date Completed: 4/24/2009

Opinion No. 2009 - 78525

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Carmen Madrid**Phone:** [REDACTED]**Fax:** [REDACTED]**Priority:** Respond Within Five Days**Opinion** **No.** 2009 78523**Date:** 4/24/2009**Complaint Description:** 08E Rate Cases Items - In Favor
N/A Not Applicable**First:****Last:****Complaint By:** **Michael & Denise** **Ransome****Account Name:** Michael & Denise Ransome**Home:** (000) 000-0000**Street:** [REDACTED]**Work:** (000) 000-0000**City:** Scottsdale**CBR:** [REDACTED]**State:** AZ **Zip:** 85255**is:** E-Mail**Utility Company:** **Newpath Networks, LLC****Division:** Telephone**Contact Name:** n/a**Contact Phone:** (000) 000-0000**Nature of Complaint:****From:** [REDACTED]**To:** pneman@azcc.gov; gpierce@azcc.gov; kmayes@azcc.gov; skennedy@azcc.gov; bstump@azcc.gov CC: jlane@scottsdaleaz.gov; lborowsky@scottsdaleaz.gov; wecton@scottsdaleaz.gov; sklapp@scottsdaleaz.gov; rittlefield@scottsdaleaz.gov; rmccullagh@scottsdaleaz.gov; tnelssen@scottsdaleaz.gov**Subject:** Expanded Cell Service and Connectivity**Date:** Sat, 18 Apr 2009 07:44:08 -0700

Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

18 April 2009

Dear Members of the Corporation Commission,

My wife and I have been members of the community of Scottsdale for a number of years. Throughout that time, we have watched the city develop and grow into the well- established community we are proud to call home today. But like any city in evolution, Scottsdale is ever-changing and taking up new opportunities to implement value-added city characteristics. However, my wife and I are concerned about one great opportunity in particular for improvement that the city is considering giving up. Our city is large and while a great majority of it is very obviously included in the greater metropolis that is the Valley of the Sun, some areas really do not resemble that of the more densely populated parts. This is a great benefit for those people wanting to live in an environment where big city life is not a core value and natural landscape is embraced. One setback, however, is the poor connectivity such residents have been plagued by for years and years. NewPath Networks should be praised for their project proposal in Scottsdale. As residents, we are excited that finally those areas in the city with previously poor connectivity will be properly connected to the digital world. As long time members of the community we simply want to voice our support for the company and ask you, the Commission, to get behind

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this company also. Their efforts will only improve the livability of our neighborhood.

Thank you.
Sincerely,

Michael and Denise Ransome

[REDACTED]
Scottsdale, AZ 85255

End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

4/24/09 Opinion noted and docketed in T-20567A-07-0662. closed

End of Comments

Date Completed: 4/24/2009

Opinion No. 2009 - 78523
